United Nations S/2014/213

Security Council

Distr.: General
24 March 2014

Original: English

Letter dated 21 March 2014 from the Permanent Representative of Finland to the United Nations addressed to the President of the Security Council

I have the honour to send you the report of the eleventh annual workshop for the newly elected members of the Security Council, which was held on 21 and 22 November 2013 at the Greentree Foundation in Manhasset, New York (see annex). The final report has been compiled in accordance with the Chatham House Rule under the sole responsibility of the Permanent Mission of Finland.

On the basis of the very positive feedback we have received from the participants each year, the Government of Finland remains committed to sponsoring the workshop as an annual event. The Government of Finland hopes that the report will contribute to a better understanding of the complexity of the work of the Council.

I should be grateful, accordingly, if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jarmo **Viinanen**
Ambassador
Permanent Mission of Finland to the United Nations

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Annex to the letter dated 21 March 2014 from the Permanent Representative of Finland to the United Nations addressed to the President of the Security Council

"Hitting the ground running"

21 and 22 November 2013
Greentree Foundation
Manhasset, New York

The Government of Finland, in cooperation with Professor Edward C. Luck and the Security Council Affairs Division of the Department of Political Affairs of the United Nations Secretariat, convened the eleventh annual workshop for the newly elected members of the Security Council on 21 and 22 November 2013.

The annual workshops serve two essential functions. First and foremost, they help to familiarize the newly elected members with the practice, procedure and working methods of the Security Council so that they are in a position to "hit the ground running" when they join the Council the following January. That is the founding and sustaining mandate of the workshops. Second, and increasingly evident over time, the series also provides current members with a uniquely valuable opportunity to reflect on their work in an informal and interactive setting.

The opening dinner on 21 November featured a welcome address by Ambassador Jarmo Viinanen, the Permanent Representative of Finland to the United Nations, a keynote address by Justice Louise Arbour, President and Chief Executive Officer of the International Crisis Group, and closing remarks by Ambassador Liu Jieyi, the Permanent Representative of China to the United Nations and President of the Security Council for the month of November 2013.

The full-day programme on 22 November included three round-table sessions that focused on the following themes:

I. State of the Security Council 2013: taking stock and looking ahead

II. Working methods and subsidiary bodies

III. Lessons learned: reflections of the class of 2013.

Opening dinner

In her keynote address, Louise Arbour addressed a series of institutions and ideas that have helped shape contemporary thinking about how to maintain international peace and security. These included international criminal justice, the responsibility to protect, peacekeeping, the rule of law, and women and peace and security. She contended that some of these ideas and institutions had fallen short, some were in disarray and others were in flux.

Justice Arbour credited the Security Council with reviving the notion of international criminal justice half a century after Nuremberg, when it established the tribunals for the former Yugoslavia and Rwanda, and with maintaining it through its interactions with the International Criminal Court (ICC). Yet the tension between peace and justice remained no matter how many times the mantra that there can be no lasting peace without justice was repeated. She commented that the referrals

from the Council to ICC to date have not accomplished much and questioned whether a referral of the Syrian situation to ICC would contribute to the prospects for a negotiated transition of power there. Noting that three of the permanent members of the Council are not States parties to the Rome Statute, she contended that this raised questions about equality before the law, the power of ICC and the deterrent effect of Council referrals to it. Arguing against a deferral of the Kenya case, she declared that the immunity of heads of State should not be extended to those who were indicted before coming to power.

Turning to the principle of the responsibility to protect, Justice Arbour observed that its initial focus on the responsibility of the State had shifted to an emphasis on responsibility to protect's sharp edge of timely and decisive international response to State failure through coercive action by the Security Council. That shift had left the principle hostage to politics within the Council. There had been much criticism of the employment of responsibility to protect for the sake of regime change in Libya; yet, proponents and critics of responsibility to protect needed to come to grips with the fact that it is hard to protect populations from a murderous leader without regime change. Though it was too early to predict the future path of responsibility to protect, she noted that the situation in the Syrian Arab Republic suggested that neither our institutions nor our principles were living up to the imperatives of our times.

In terms of peacekeeping, she noted that too often host Governments had proven to be part of the problem. In the Central African Republic, for instance, international military support for the new leaders should be matched by pressure for reform so that the plight of the population could be eased. Peacekeeping was not a substitute for political reform. There was little doubt, however, that robust rules of engagement and the use of force could make a difference in some cases, as illustrated by the success of the intervention brigade in the eastern Democratic Republic of the Congo. It was essential that civilian casualties be minimized and that United Nations forces not become the strong arm of weak Governments.

Commenting that the rule of law was her pet issue, Justice Arbour underscored the extensive work done by the International Crisis Group on the need to build rule-of-law institutions in fragile States. International attention, however, tended to focus more on elections than on sustaining the legislative work of parliaments. The rule of law should be understood as more than security sector reform and law enforcement, as essential as these may be. Observing that democratic Governments facing the guillotine of re-election might find it difficult to think about the long term, she commented that, within the Security Council, it might be the permanent members that would have to exercise leadership on rule of law issues.

According to Justice Arbour, the Security Council, through its resolution 1325 (2000), had accomplished a great deal, including putting the question of women and peace and security on the map. Yet its dual emphasis on the victimization of women in armed conflict and on the role of women in peacemaking reflected an idealized view of women as either victims or angels, overlooking their partisan roles supporting particular political or social agendas. When the dealmakers were those with weapons, bringing women to the table might simply reinforce the stereotype that women address just soft issues. In the Arab uprisings, for instance, women activists needed to be supported in their dual roles both as women and as engaged citizens. One should be vigilant, she continued, to avoid perpetuating stereotypes,

such as referring to "innocent" women and children when the description was not apt.

In closing, Justice Arbour contrasted the dazzling technological progress of recent years with the inertia that grips so many key national and international institutions. She urged the participants to overcome the pervasive fatigue that discourages innovation and fresh thinking in key international institutions, beginning with the Security Council. Following the keynote address, there was a lively and interactive discussion among the participants.

Ambassador Liu Jieyi, in his capacity as President of the Security Council, made closing remarks. He thanked the Government of Finland warmly for its longstanding support for the "Hitting the ground running" workshops. The workshops, in his view, provided a good platform for stocktaking, brainstorming and networking.

Ambassador Liu commented that the issues addressed by the Security Council had become more global and more interrelated. The Council had been effective both in dealing with the maintenance of international peace and security in many regions and in considering broader thematic issues. The goal was to make the Council better at addressing both sets of questions. He urged the participants to recognize that the issues before the Council were part of a wider web of issues, some of which related to the work of other United Nations bodies. The Council, he concluded, should focus on addressing those issues it had been set up to deal with, delegating other matters to other United Nations organs.

Session I
State of the Security Council 2013: taking stock and looking ahead

Moderator:

Ambassador Sylvie Lucas
Permanent Representative of Luxembourg

Commentators:

Ambassador Vitaly I. Churkin
Permanent Representative of the Russian Federation

Ambassador Eugène-Richard Gasana
Permanent Representative of Rwanda

Ambassador Samantha Power
Permanent Representative of the United States of America

Issues covered in session I included:

- In 2013, where is the Council most/least successful in helping to maintain international peace and security? Why? When has unity within the Council been the easiest/most difficult to obtain? Why? How does its record in 2013 compare with that in 2012 or in earlier years?
- In terms of the Syrian Arab Republic, why was unity possible in achieving resolution 2118 (2013), but eluded the Council previously? What does this experience suggest about the prospects for sustaining some degree of unity in the search for peace and justice in the Syrian Arab Republic in the year ahead?

Could the Council play a more substantial role in supporting, facilitating and encouraging efforts to achieve peace in the Syrian Arab Republic?

- What operational challenges are likely to face the Council as it works with the Organization for the Prohibition of Chemical Weapons and the United Nations in verifying and destroying the chemical weapons of the Syrian Arab Republic?
- Could more be done to stem the humanitarian calamity in and around the Syrian Arab Republic? What human protection challenges are likely to arise as the conflict continues there, and is there more that the Council could do to discourage serious human rights violations by various actors in the Syrian Arab Republic?
- What more could be done to decrease the flow of weapons from Libya to both North Africa and the Middle East? What lessons could be drawn from that situation in terms of continuing Council oversight of country situations in which it has been engaged?
- How much encouragement should be drawn from the improving security conditions in the eastern Democratic Republic of the Congo? Are they sustainable?
- Where else has the Council achieved relatively good results in 2013: Mali? Kenya? Somalia? Other situations?
- How is the situation in the Central African Republic likely to evolve in the coming months? Are additional measures needed?
- How is the concept of Integrated Peacebuilding Offices, as in the Central African Republic and Guinea-Bissau, faring in practice? Should this approach be encouraged elsewhere?
- During 2013, has the Council done better than in the past at anticipating crises and taking timely preventive action? Have the efforts to enhance the Secretariat capacity for early warning and preventive diplomacy been helpful in that regard? Have the channels for alerting the Council worked well? What further steps should be considered?
- How might collaboration with regional and subregional arrangements, such as the African Union, the European Union, the Association of Southeast Asian Nations, the Organization for Security and Cooperation in Europe, the League of Arab States, the Intergovernmental Authority on Development and the Economic Community of West African States (ECOWAS), be improved? What about the relationship of the Council with the International Criminal Court?
- Given the continuing involvement of the Council with a number of major thematic issues, such as women and peace and security, children and armed conflict, and justice, rule of law and impunity, how should the results of these engagements be assessed? Could these efforts be linked more organically with the Council's situation-specific work and the overall goal of maintaining international peace and security? Is more operational follow-up needed?
- Looking ahead, what are the most consequential geopolitical, resource, environmental, demographic and strategic challenges to the Council agenda likely to be?

Assessment of the performance of the Security Council in 2013

A number of participants identified situations and issues on which the Security Council performed relatively well or poorly in 2013. Many commented that, on balance, the Council had done reasonably well in maintaining international peace and security over the course of the year, despite deep and persistent divisions on some prominent issues. There had been little disagreement about what the balance sheet looked like or about which situations belonged on which side of the ledger. One speaker suggested that over the years the "Hitting the ground running" workshops had become the Council's informal end of the year wrap-up session.

According to one interlocutor, the efforts of the Council had been relatively successful in Mali, the Democratic Republic of the Congo, Somalia, Yemen and the Democratic People's Republic of Korea. In the latter situation, the Council had responded quickly and in unison to the missile launch by the Democratic People's Republic of Korea, adopting strengthened sanctions. The mandate in the Democratic Republic of the Congo had been made more robust, with more of an emphasis on the protection of civilians, while a more holistic approach had been adopted for Mali. Noting that lessons should be learned from the successes and failures of the Council, another speaker commented on why the transition in Yemen was proceeding so much more smoothly than the one in Libya. In Yemen, a skilful United Nations mediator, backed by a relatively small international presence on the ground, had managed to engage the key stakeholders in a sustained dialogue with strong and consistent political support from the Security Council. In the Democratic Republic of the Congo, the participant continued, the Council had been willing to adjust its approach and to try something new, while in Mali, as elsewhere in Africa, France was playing a leading role and several African States had been willing to provide essential forces. In agreeing that Mali belonged on the list of relative successes, several commentators commended the critical roles played by both France and neighbouring countries, such as Morocco. One speaker commended the Council not only for its work in Mali, where the holding of elections had been an encouraging step, but also for its larger efforts to stem the spread of terrorism in North Africa.

Another participant added two more situations to the column of relative successes during 2013. One was the quick and unanimous efforts of the Council to identify new troop contributors for the United Nations Disengagement Observer Force in the Golan, which was facing a crisis stemming from the violence in and refugee flows from the Syrian Arab Republic. The second was the action of the Council, expressed in resolution 2107 (2013), to place the remaining issues between Iraq and Kuwait under the mandate of the United Nations Assistance Mission for Iraq (UNAMI), thus moving them away from Chapter VII obligations and towards eventual removal from the Council agenda altogether. That experience had underscored the need for a sunset clause or exit strategy for peace operations, such as those that had largely completed their work in West Africa. The only two issues taken off the Council agenda in the last four years, according to the speaker, had been Nepal and Timor-Leste, while many new ones had been added.

The Council also had made progress in 2013 on some thematic issues, according to several interlocutors. Commenting that there had been more highs than lows on thematic issues in 2013, a participant stated that the Council had reaffirmed its concern for the protection of civilians by issuing several related resolutions and presidential statements. The presidential statement on children and armed conflict

had restored the Council's unity on that subject, which had been mainstreamed into several situation-specific resolutions as well. More could be done, continued this speaker, to deploy child protection advisers, to use all of the tools at the disposal of the Council and to engage armed groups on these issues. Noting that two resolutions had been adopted on women and peace and security (resolutions 2106 (2013) and 2122 (2013)), that delegate had disagreed with the comments made by Louise Arbour at the opening dinner that women have been stereotyped as either victims or angels. The peacekeeping strategies of the Council had also been enhanced by the efforts of the Working Group on Peacekeeping Operations, by a thematic resolution (resolution 2086 (2013)) and by the multi-dimensional approaches to the peacekeeping deployments, including the appropriate employment of peace enforcement mandates, in the Democratic Republic of the Congo (see resolution 2098 (2013)) and Mali (see resolution 2100 (2013)). Agreeing that thematic debates could be useful, another commentator suggested that simply talking about such issues was not enough. The Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, for instance, should be empowered to advise the Council as a whole on conflict situations in the region.

Several speakers identified situations that remained challenges for the Council and should not yet be classified as failures or successes. In the view of one delegate, three seminal tests before the Council at this point were Mali, the Central African Republic and Somalia. As a failed State, the Central African Republic might be in a pre-genocide phase. Agreeing that the Central African Republic was a failed State, a participant labelled the situation there an unfolding tragedy. Though grateful for the French efforts to stabilize the situation, the Council as a whole would be judged by whether it could raise its game there. Earlier attempts within the Council to draw attention to developments in the Central African Republic, asserted another speaker, had been diverted by concerns over the ongoing crisis in the Syrian Arab Republic.

Though the Republic of South Sudan was far from being a success story, a commentator contended that the Council was beginning to be more assertive and to call on the Government to meet its responsibilities in the wake of increasing reports of atrocities, harassment and growing displacements. The time for giving the South Sudanese the benefit of the doubt had to end. It was a situation in which the voice of concern of the Security Council could make a real difference. Another challenge for the Council, continued the speaker, would be in Afghanistan, where the mandate and mission of the United Nations may have to be adjusted as the international security presence wound down. A participant, referring to Professor Luck's background paper, contrasted how the Council had decided to act in two of the most challenging situations before it: the Democratic Republic of the Congo and the Syrian Arab Republic. In the former case, the Council had chosen to be innovative and to take a calculated risk by authorizing enforcement action, with encouraging results.

Several interlocutors identified the Syrian Arab Republic and the Central African Republic as the most prominent failures of the Council. One called the Syrian Arab Republic the defining challenge for the Council in 2014. Another asserted that, for the Council, the Syrian Arab Republic represented a profound security, political and humanitarian failure. The decisiveness with which the Council had acted on the use of chemical weapons in the Syrian Arab Republic stood in stark contrast to its inability to make progress on other key issues there. According to a third speaker, the Council's failure in the Syrian Arab Republic was broad-based, even systemic. It had fallen short of its 1945 promise as an instrument of politics

because it had not managed to keep the major powers engaged there in a constructive manner. After two years of intense debate, commented another delegate, the members of the Council should refrain from self-flagellation over the course of events in the Syrian Arab Republic because in reality no statement or procedural step by the Council could have resolved the conflict there. Incoming members, moreover, should be under no illusion that they would be able to fix that problem. In addition to the dynamics within the Council, an assessment would have to take into account the positions of the Government of the Syrian Arab Republic and its opponents, as well as those of the Syrian Arab Republic's neighbours, which were affected by arms and refugee flows. Would a Chapter VII military intervention for humanitarian purposes have been either feasible or successful? It was time to look ahead, the participant continued. Would an agreement brokered by the United States of America and the Russian Federation in Geneva be the best model to pursue? If so, could they find a way of briefing the whole Council, not just the permanent members? For instance, the lead countries could brief the President, who could in turn brief the non-permanent members.

To the assertion that there had been little that the Council could do to affect events in the Syrian Arab Republic, a speaker responded that the Council had more leverage two years ago, but it had not been able to agree on how to employ it. Things looked differently at earlier stages of the conflict, but the opportunity had been lost through Council inaction. In the view of a second participant, the most important resolution of 2013 has been resolution 2118 (2013), on chemical weapons in the Syrian Arab Republic. The effect of the presidential statement on humanitarian access there should also not be underestimated. That speaker predicted that the conflict in the Syrian Arab Republic would be resolved in the first half of 2014. Several delegates agreed that resolution 2118 (2013) was an important step forward.

In addition to the escalating conflicts in the Syrian Arab Republic and the Central African Republic, a participant suggested that the prolonged crisis in Darfur be added to the list of Council failures. A lot of money and effort had been spent there with little result, since Darfur remained a disaster zone from any perspective. A fundamental review of the Council strategy there was needed. Agreeing on the urgency of such a review, a second interlocutor commented that much had been learned from the Council mission to Darfur. For instance, the United Nations mission there appeared to be building a shopping mall and other long-term infrastructure when the mandate was for just one year. According to another participant, the situation in the Sudan and South Sudan, including the Blue Nile and South Kordofan States, had been one of the worst failures of the Council, despite much attention and effort. One speaker, expressing his country's frustration with the lack of progress towards a durable peace in the Middle East, added the postponement of peace negotiations in the region to the list of Council failures in 2013.

Several speakers suggested that the relationships of the Council with other institutions and intergovernmental bodies also required some improvement. There had been little progress in developing the relationship with the Peacebuilding Commission, in part because of institutional fears and jealousies, commented one participant. Those obstacles had prevented a more collaborative approach that would have taken advantage of the natural complementarities between peacekeeping and peacebuilding as key elements of a more comprehensive and integrated strategy. The

Peacebuilding Commission could be helpful in formulating and implementing exit strategies and should be used more by the Council. Though the evolving relationship between the Council and the International Criminal Court generated less discussion than at recent "Hitting the ground running" workshops, it was pointed out that referrals to ICC continued to be an important tool against impunity and a prominent feature of the work of the Council, the Kenya case aside. This was likely to remain the case in 2014, when 11 members of the Council would be States parties to the Rome Statute.

Though complaints about the Security Council were still heard in the General Assembly, it was pointed out that the recent discussion of the annual report of the Council to the Assembly had shown that there was great interest among the larger United Nations membership in the work of the Council. The report had demonstrated, once again, that the Council remained the most effective intergovernmental organ in the United Nations system and one of the most effective institutions in the world as a whole. Others agreed, though one underscored that, however successful the Council might be overall, the human and political costs of its mistakes could be very high, given the centrality of its mandate. The Council also faced credibility questions from publics and capitals, as its failures tended to be much more visible than its successes. Likewise, several speakers referred to the increasing pace of meetings, the expanding agenda and the growing workload of the Council, especially when compared to the 1980s. It was suggested that the Council was something of a victim of its success, as expectations of its performance had grown even, in some cases, beyond its mandate under the Charter.

Challenges ahead

According to a number of participants, the evolving and varied relationships of the Council with regional and subregional arrangements remained a conceptual and operational challenge, deserving further reflection and discussion. One question was how to enhance the effectiveness of regional and subregional arrangements; another was how to determine which organization should take the lead in each situation. In the view of one speaker, effectiveness should be the deciding factor. Another discussant, pointing out that most items on the Council agenda were country-specific and deal with Africa or the Middle East, urged the Council to take a more regional approach to resolving them. For instance, the regulation of monetary flows was undertaken nationally, but the phenomenon was global in scope. If such problems were addressed solely as national ones without a regional perspective, then the chances of just moving problems from one country to another remained high. When the Council tried to fix a problem in one country but not in other ones, then the problem was likely to reappear elsewhere. The members of the Council should give more thought to how to adopt such a regional and subregional approach to the problems on its agenda in 2014. Concurring with these points and citing similar ones in Professor Luck's background paper, a participant asserted that the Council was beginning to adopt more of a regional vision in approaching complex situations, such as in Mali, that are fuelled by region-wide problems. Transnational problems, such as poverty, disease, unequal access to basic services, and resource, food, and water shortages, could have negative effects on security across regions.

There were several references to the need for the Council to become more adept at adjusting missions to changing circumstances and to making mid-course corrections as necessary. Looking back on 2013, a discussant commented that it was

striking how hard it proved to be to make a sober assessment of what was and was not working and to make the required adjustments in either peacekeeping operations or political missions mid-stream. It should not be expected that everything would be working perfectly at mandate renewal time, yet those opportunities for careful scrutiny and fresh thinking were often missed. Likewise, the Council found it difficult to pull back missions and recast approaches that were not working. Agreeing with the need for more rigorous lessons-learned reviews, an interlocutor stressed the need to match mandates with changing conditions on the ground. The practice of undertaking Council missions to places of concern had been quite helpful in providing members with a keener sense of what was happening on the ground. However, it was not easy to be flexible in reworking complex mandates expressed in resolutions with as many as 55 operative paragraphs. Instead, the tendency had too often been to add a couple of paragraphs addressing thematic issues at renewal time.

Two speakers lamented that the Council was not more proficient at bridging operations and responding to emergencies. One commented that the United Nations simply did not know how to do such things. The Secretary-General, for instance, might warn that the situation in the Central African Republic was becoming critical. But it would take at least three months to organize and mount a peacekeeping mission there. In the eastern Democratic Republic of the Congo (Operation Artemis) and eastern Chad, the European Union mounted bridging operations long before the United Nations had an effective peacekeeping presence in either place. Are there other countries that could mount such bridging operations? That was a matter on which the United Nations Secretariat and the other partners of the Council should reflect. Concurring on the need for greater flexibility in emergency situations, another participant emphasized the need for closer monitoring, greater accountability and a system of checks and balances within the United Nations system when it came to peacekeeping operations. The Council needed accountability from the Secretariat and from the people deployed in the field to run these operations. Praising resolution 2098 (2013) on the Democratic Republic of the Congo, the speaker asked why it had taken so many years and the outlay of many billions of dollars to produce such a sensible approach to the persistent problems there?

There was considerable discussion of the shortage of human and material resources for mounting multiple peacekeeping operations and the dearth of quality leadership in the field and expertise on military affairs within the Council itself. Cautioning that the annual cost of peacekeeping could cross the $8 billion threshold in 2014, a speaker warned of a potential shortfall both of troops from hard-pressed troop-contributing countries and of funding from the major donors. It would be unfortunate if those constraints prevented an effective response to the growing crisis in the Central African Republic. The only choice was to optimize the employment of scarce resources, reconfiguring some missions and curtailing others that had not been effective or were no longer needed. Citing the expansion of the number of peacekeeping operations in recent years, another participant questioned whether missions were necessary in so many places simultaneously. The overall cost was not unreasonable for a deployed force of 120,000 troops, commented a third speaker, though the scale of assessments was skewed and it was hard to understand why so many battalions were needed for what were largely monitoring and observation missions. Too often, relevant language skills were lacking, the battalion offices were not open on a 24-hour basis, there was inadequate utilization of modern technology

and local infrastructure could not support the international operations. The number of civilians deployed with the missions — some 30,000 — seemed excessive, but the Secretariat, not the Council, controlled that matter. For instance, there were 150 staff assigned to public relations in Juba and almost 3,000 civilians in the United Nations Mission in the Republic of South Sudan overall.

A discussant argued that the shift in tactics in the eastern Democratic Republic of the Congo demonstrated how important it was to have dynamic force commanders and Special Representatives of the Secretary-General on the ground in difficult missions. The critical factor, another speaker agreed, was not the number of troops but the quality of their leadership. That was where the Council and Secretariat should focus their efforts. Yes, Special Representatives of the Secretary-General and force commanders played a critical role, responded a third commentator, but the members of the Council were their bosses and should ensure that they were accountable.

According to one speaker, the Council should reflect more on the appropriateness and effectiveness of the peacekeeping operations it authorized. Yet, it lacked military expertise and was mandated to make military decisions without proper military advice. The members lacked critical information and the reports they receive were sanitized. How were Council members to judge, for instance, whether what they were doing in the Central African Republic made any sense from a military perspective? Some had cautioned against the militarization of the Council on the grounds that it should not become another North Atlantic Treaty Organization; yet, the Council was conducting real military operations in Mali, in the eastern Democratic Republic of the Congo, and, potentially, in the Central African Republic. It was true, commented another delegate, that the diplomats serving on the Council were generally civilians with little military expertise or direct knowledge of what was happening in the field. They had little choice but to take reports from the Secretariat at face value, even though they had no assurance that the Secretariat itself was well informed. Nevertheless, the Council's flawed system for making decisions was a better alternative than total anarchy or unilateral action by the powerful.

There was a lively discussion of ways to increase the input of military professionals into the deliberations of the Council. Whether one called it intelligence or information, several delegates agreed, the Council needed fuller, more reliable and timelier information on security developments and options in key situations. One speaker noted that the Military Staff Committee had had a productive discussion on the security situation in Mali, that their delegation had benefitted from meetings with the force commander in South Sudan, and that the annual meeting of the Secretary-General with the United Nations force commanders might offer a promising opportunity for their interaction with the members of the Security Council. Several participants agreed that it would be very helpful for the Council to have an open meeting with the force commanders when they came to New York to meet with the Secretary-General. Concurring, an interlocutor suggested that the relevant force commanders also participate, by video teleconference if necessary, when the Council and/or troop-contributing countries met with Special Representatives of the Secretary-General. It was suggested by another participant that it might be appropriate to include police commissioners as well in such briefings, and others concurred. In conclusion, it was agreed, as three outcomes of the eleventh "Hitting the ground running" workshop, that (a) a meeting of the force

commanders with the members of the Security Council would be arranged annually in June when they came to New York to see the Secretary-General; (b) a similar session would be held with police commissioners when they visited New York in November; and (c) it would become regular practice to have force commanders participate by video teleconference when Special Representatives of the Secretary-General briefed the Council. Such productive outcomes, commented one speaker, were very much in the tradition of the Finnish workshops.

The discussion of how the Council could be more effective at conflict prevention was more mixed. Several speakers asserted that the Council should focus more on preventing conflict than on simply managing it. One contended that the core mandate of the Council was to prevent conflict, not to manage it through peacekeeping or conflict resolution. In response, a discussant asserted that Special Representatives of the Secretary-General and Special Envoys of the Secretary-General were best placed to do conflict prevention because they were on the ground and had the best access to key actors and crucial information. It was the role of the Council to give them firm and consistent political support and to ensure that they had all the resources they needed to do effective prevention. Some participants commended horizon-scanning briefings of the Council as a useful preventive measure, while others disputed their utility. One agreed that they could sometimes be useful, but that care should be taken not to stigmatize some developing countries through such briefings. Another called them "forced", as were the monthly wrap-up sessions. Others found the monthly wrap-up sessions to be productive. According to another discussant, the "Hitting the ground running" workshops were already serving as an informal year-end review, while the retreat with the Secretary-General in April could become more strategic. That would permit twice-yearly review and horizon-scanning sessions, which should be sufficient. Whatever one thought of horizon-scanning sessions, a delegate responded, the key was to find a pattern of briefings, meetings and retreats that would permit the Council to be more strategic and reflective in the way it approaches its important mandate.

Relationships among members of the Council

As in past workshops, there was substantial discussion of the relationship between non-permanent and permanent members of the Council and their respective roles in the decision-making process (also see the summary of discussion in session III below). One participant suggested that, from the perspective of an elected member, two conditions were essential for the Council to succeed in maintaining international peace and security: (i) unity among the five permanent members; and (ii) the Council's collective understanding of the situation being addressed. In the Syrian Arab Republic and the Democratic People's Republic Of Korea, the critical negotiations had been carried out by the two most influential and interested members, with the other members largely excluded. Resolution 2118 (2013) was an important step forward, but it was basically the product of two permanent members, with little input from the rest of the membership. Sometimes one of the permanent members would cast a veto, as on the Syrian Arab Republic, effectively circumventing the will of the majority of Council members. Nevertheless, the 10 non-permanent members could make a difference on some issues when they acted together. Members from the region being addressed could bring special insights, so there should be more regular attention to their viewpoints, as well as to those of other Member States from the region that were not currently serving on the

Council. A second interlocutor agreed that there should be better ways of hearing the views and perspectives of non-Council members with special expertise (such as Italy on Libya) in informal discussions with the members of the Council, because there may not always be the right mix of countries on the Council as a crisis emerged.

Citing the initiative by Australia and Luxembourg that produced the presidential statement on humanitarian relief in the Syrian Arab Republic, a participant commented that, for all the inequities between the two levels of membership, it was still possible for non-permanent members to make a difference and to find productive ways to work with the permanent members. Commending that humanitarian initiative, an interlocutor commented that it was sobering to see how little had changed on the ground in the Syrian Arab Republic. Though Council decisions were binding on all Member States under Article 25 of the Charter, there were limits to the capacity of the Council to change realities on the ground. According to one participant, non-permanent members could voice their concerns about crisis situations, while the permanent ones had the power to do something about it and to hold the parties accountable. While all countries had interests, added another speaker, the Council worked best when the permanent members did not put their national interests first and when they demonstrated some flexibility. In response, a delegate pointed out that, while Council members had national perspectives, they all needed to recognize that in the long run justice reinforces peace, though in the short run that may not be so, as Justice Arbour had underscored in her remarks the previous evening. For instance, both permanent and non-permanent members of the Council could be faced with difficult choices about whether to intervene when people take to the streets to oppose a brutal dictator.

It was pointed out that the world had vested huge powers in the Security Council and expected it to make things happen. Yet, was is not omnipotent or universally effective, responded another interlocutor, who cited Palestine, Iraq, the Islamic Republic of Iran and the Democratic People's Republic Of Korea as situations in which powerful actors exerted their influence outside of the Council. The Security Council nevertheless was the most effective international institution because of (a) its law-making capacity; (b) its tools for implementing its decisions; (c) its successful track record in dealing with a number of specific situations; and (d) the efficiency with which it conducts its business. The challenge for the Council, noted a third discussant, was that its mandate under the Charter was very broad, yet its powers were much more limited than its authority. Of course, realpolitik was part of the Council's existence, yet it should not be used by non-permanent members as an excuse for inaction when they had opportunities to negotiate and work with the permanent members. It was no longer the 1960s, a speaker reminded the participants, when the major powers could generally get their way. There were many players now, including non-State actors and regional powers, to complicate crises such as in the Syrian Arab Republic. Yes, agreed another participant, agreement among the five permanent members was often not sufficient to dictate an outcome in an increasingly complex world, though it could be a necessary condition.

In closing the first session, several speakers offered reflections, insights and advice to the incoming members. The latter may be wondering, suggested one participant, how members reconcile their conviction that the Security Council was one of the world's most effective bodies with their criticisms of its apparent flaws and shortcomings. As Sir Winston Churchill had said of democracy, it was the worst

form of government except for all of the others. After spending time on the Council, one might approach reform ideas with greater caution, for fear that they would end up reducing the effectiveness of the Council. The new members should keep their expectations in check, according to several discussants, in order to avoid unnecessary frustration. In the Syrian Arab Republic, for example, they might not be able to end the conflict, but the Council could still make an important contribution to the stability of the region. According to another participant, serving on the Council was a unique and vivid life experience that altered the way one saw the world. There was too much mystique about consultations, cautioned one delegate, while another declared that the greatest disappointment was that the members never had this kind of candid and interactive dialogue in New York. It just never happened. The spirit of the discussion at the workshops should be transplanted to the regular deliberations of the Council.

Session II
Working methods and subsidiary bodies

Moderator:

Ambassador Oh Joon
Permanent Representative of the Republic of Korea

Commentators:

Ambassador Mark Lyall Grant
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland

Ambassador Maria Cristina Perceval
Permanent Representative of Argentina

Ambassador Gary Francis Quinlan
Permanent Representative of Australia

Issues covered in session II included:

- What have been the major refinements in Council working methods since the last "Hitting the ground running" workshop held a year ago? Of the changes suggested at that point, which have and have not been adopted? Why or why not? Has the political momentum behind reforms in the working methods of the Council grown, remained at about the same level or ebbed?

- In the months leading up to the open debate of the Council on its working methods, several important documents, such as the note by the President of the Security Council of 28 August 2013 (S/2013/515), the annex to the letter dated 16 October 2013 from the Permanent Representative of Azerbaijan to the Secretary-General (S/2013/613) and the note by the President of the Security Council of 28 October 2013 (S/2013/630), drew attention to a number of areas in which more progress could be made. Which of these issues should get the most immediate and urgent attention and which should be treated as longer-term goals?

- Likewise, have the measures set out in the annex to document S/2010/507 been fully implemented? Are there steps that have been agreed but not yet carried out consistently in practice?

- Can more be done to improve relations between the Council and other United Nations and non-United Nations organs, such as the General Assembly, the Human Rights Council, the Peacebuilding Commission and the International Criminal Court, which are addressing issues of importance to the Council and to the maintenance of international peace and security?
- Can more be done to make informal consultations more informal and more interactive — one of the prime areas of discussion at the last several workshops?
- Is the system of penholders working as it should? Are there recent examples of where it has worked especially well or sub-optimally? In its February 2013 monthly forecast, the Security Council Report noted that the penholders and Chairs of the relevant subsidiary bodies rarely coincide. Is this something about which we should be concerned?
- Are there ways to make the process of selecting the Chairs of subsidiary bodies and the penholders more transparent and more interactive? How might newly elected members be more fully briefed about the expectations and workload associated with heading the various subsidiary bodies?
- Has the use of video teleconferencing, of briefings by a wider range of Secretariat officials, of less formal settings for discussing emerging issues, of the enhanced Council web site and of the monthly horizon briefings improved the basis for Council decisions? Which of these steps have proven most useful and which could be improved?
- Has the effort to adjust reporting and mandate cycles, as discussed at the last two workshops, rationalized the workload and produced efficiencies? Could more be done along these lines?
- Should the members of the Council be concerned about its public reputation at this point? Has its credibility been damaged by the widely publicized disagreements among its members on the Syrian Arab Republic and some other matters?

Assessment of progress on reforming working methods

There was wide agreement that significant progress had been made on reforming the working methods of the Council, though that effort remained a work in progress. One speaker contrasted the opportunities for fresh ideas and further movement in this area with the prolonged debate over the composition of the Council in which it seemed that every possible proposal had been aired and discussed without agreement among the Member States. Several participants contended that the Council had proven itself to be the most flexible and adaptable of the United Nations inter-governmental organs. The process of improving working methods had served the larger goal of making the Council more effective, as well as efficient, in carrying out its core mandate of maintaining international peace and security. As one delegate put it, this was a question not of what the Council does, but of how it does it.

Several interlocutors affirmed that there had been significant progress on achieving greater transparency regarding the work of the Council. Among the steps cited were the holding of more open meetings than private consultations, the

convening of more Arria-formula meetings to provide direct interactions with experts, the provision of more opportunities for the President of the Council to speak to the media, the holding of more wrap-up sessions and briefings to regional groups and a sharp increase in the number of press statements. The larger United Nations membership, while often criticizing the Council for an alleged lack of transparency, should take more advantage of these opportunities, as attendance at those events varied in both level and size. Agreeing that there had been progress on transparency, one discussant cautioned that the Council could make a greater effort to take the views of those delegations that attend its open debates into account in its deliberations. A particular effort should be made to listen to the voices of countries from the region in question. In addition to enhancing transparency, one speaker called for the Council to be more interactive in its dealings with Member States that were not on the Council. For instance, when their presidency held an open debate, many proposals were articulated by non-members of the Council that deserved careful consideration. Perceptions about whether the Council was willing to take the views of others into account mattered. Also, in that regard, it should be acknowledged that the actual number of public meetings held up to that point in 2013 was lower than for the same period last year (2012), owing to the more efficient clustering of related items.[1]

Some participants saw wrap-up sessions as a valuable transparency measure, but others were more sceptical. They provided an opportunity for engagement with countries that were not members of the Council, commented one speaker, and could be forward-looking, as well as reporting on the past month. If monthly wrap-ups were too frequent, the members could decide to have them at regular intervals. Similarly, a second discussant noted that wrap-up sessions could be part review and part preview, and held periodically, if not monthly. Doubting that wrap-up sessions were a good means of advancing transparency or of reaching a larger audience among the Member States, a speaker questioned whether their content was ever interesting or revealed anything that was not already known. Moreover, they were not interactive and the President usually had a lot to say at the beginning of the month. According to another discussant, the format of wrap-up sessions did not make them a good vehicle for the kind of deep periodic assessment that was needed of the work of the Council, but they could serve as a way of demonstrating to a wider group of Member States that the members of the Council were concerned with enhancing transparency.

According to one discussant, there were two distinct levels of transparency: (i) between the 5 permanent members and the 10 non-permanent ones; and (ii) between the Security Council and the larger United Nations membership. The Security Council website developed by the Security Council Affairs Division had been greatly improved, offering the broader United Nations membership access to the full range of the Council's work. The non-permanent members, moreover, had developed a culture of briefing their regional groups on a regular basis. So the perception that the Council was some sort of secret cabal was fading. Yet there was still substantial opaqueness when it came to the first kind of transparency, as the elected members were still not privy to what went on among the permanent members. For instance, another participant agreed that there had been considerable

[1] According to the *Highlights of Security Council Practice 2012*, published by SCAD, the aggregate number of public meetings declined from 213 in 2011 to 184 in 2012. The latter figure, however, is higher than the 174 in 2009 and 182 in 2010.

progress on most dimensions of transparency, but that did not extend to the manner in which the Chairs of subsidiary bodies were selected — a topic addressed in more detail below — which was still undemocratic and often favoured the interests of the permanent members, not the non-permanent ones, who customarily Chair the assigned committees.

It would be misleading, cautioned one speaker, to accept stereotypes that cast all permanent members as opposing further steps towards transparency and working methods reform and all non-permanent members as favouring such measures. The experience of that delegate had been more nuanced, as each permanent member had a distinct approach to these matters and some non-permanent members tended to be more passive and others pushier. After serving on the Council for half a year, the representatives of newly elected countries usually become more confident and assertive, as illustrated by the note on troop-contributing countries (S/2013/630). A second participant noted that it had proven easier to work with a permanent member than with a non-permanent one on a particular situation of concern. In the realm of requirements for peacekeeping missions, it was the Secretariat that should become more transparent, asserted another discussant. The members of the Council were handicapped in dealing with the Fifth Committee and with troop-contributing countries when they did not have full information on the financial, material and personnel requirements of a new or revamped operation.

A number of participants identified the work of the Council's Informal Working Group on Documentation and Other Procedural Questions as the locus in recent years for efforts to improve Council working methods. A PowerPoint presentation summarized the strategies, the activities and the priorities of the Informal Working Group in 2013. According to one delegate, that was the only subsidiary body that did a good job of disseminating its work and of informing permanent representatives, not only experts, of the progress of its efforts.

Efficiency measures

A participant outlined a series of steps taken in recent years that had lowered costs and increased the efficiency of the work of the Council. Though its agenda had not contracted, the Council had managed to hold 15 per cent fewer meetings in 2013 than in 2011. Issues were clustered more productively and meetings were running longer, allowing the Council to accomplish more in fewer sessions. The utilization rate for the Council facilities, at 83 per cent, was the highest in the Organization, an indicator that suggested that the Council was the most efficient body in the United Nations. By making decisions under the silence procedure, it was easier for the Council to produce presidential statements and press statements than it was before. The expanded use of video teleconference technology had reduced travel costs for briefers, as well as providing the members with a closer feel for the dynamics on the ground. The use of informal informals, missions and other non-formal gatherings away from Headquarters had also reduced costs and encouraged dialogue among the members. The practice of keeping most Fridays free of meetings of the whole had served both as a cost-cutting measure and as way of regularizing meetings of the subsidiary bodies. Presidents had been encouraged to try to avoid voting on Mondays in order to reduce staff overtime charges on the weekends. More could be done to prepare the annual report farther in advance to similarly reduce staff costs. Efforts to spread the Council workload more evenly over the course of the year, a topic of the last few "Hitting the ground running" workshops, had increased

efficiency and eased frustrations. It was likely that the far more frequent use of the website had lowered the demand for information from the Secretariat.

An interlocutor concurred that periodicity and clustering had worked well. The time-keeping procedures for statements made in the Peace and Security Council of the African Union were worth studying for possible adoption by the Security Council. With a pre-agreed time limit (for formal meetings, not consultations), the microphones were turned off after three minutes, though the speaker could then turn it back on if needing to exceed the limit. By setting and sticking to time limits, the members of the Council could shorten meetings by as much as an hour, while increasing the chances that permanent representatives would remain for the whole meeting. Several discussants expressed general agreement with these efficiency proposals, including adopting time limits along the lines of the practice of the Peace and Security Council of the African Union. One suggested that members practice restraint in their statements at formal meetings, but that one should be cautious about applying strict rules in consultations, which should be as informal and interactive as possible. A respondent agreed specifically to the idea of avoiding Monday morning voting. Another suggested that time limits be applied to those briefing the Council as well. One asked about the cost of video teleconference technology and was assured that it was quite low, especially compared to travel costs given the rules for United Nations travel.

As in past workshops, there was discussion about whether it was necessary for every delegation to speak to every issue, especially in consultations. That practice was time consuming, discouraged interactivity and reduced the quality of the debate if members felt they had to speak about issues that might be of little interest to them and on which their expertise was limited. Though there seemed to be agreement on getting away from that practice, it had proven difficult to change habits. A delegate related the experience of trying to refrain from addressing a given topic, which had led to expressions of concern from experts within that delegation, from the capital and from other Member States or civil society groups seeking support on the matter. It became news if one declined to speak even in closed consultations. That was the case even on thematic issues on which the Security Council lacked the authority to legislate or set legal norms.

Improving consultations

At the eleventh annual workshop, as at earlier ones, there was general agreement that informal consultations needed to be made more informal, consultative and interactive. Several speakers contrasted how much more productive the conversation was at the Finnish workshops than under the more sterile and less interactive format of Council consultations in New York. Calling the current system "crazy" a discussant complained that the scripted and choreographed nature of the consultations extended to the monthly lunches with the Secretary-General. It would be refreshing to just have a normal conversation with the Secretary-General about what was going on, but instead delegates ask beforehand what the topic would be so that their experts could prepare talking points in advance. Then Ambassadors felt obligated to use them, and any spontaneity was lost. There must be a better way.

Acknowledging how surprising it was that the consultations were so scripted and stiff, a participant called for doing whatever possible to free up Council consultations. Expressing similar disappointment at the lack of interactivity, a

speaker said that the consultations were much too structured and unproductive. That core reform was needed, but it was not so easy to achieve, noted another, as every representative felt compelled to prepare talking points beforehand and Governments had positions that needed to be expressed. It would help if each member showed some flexibility, listened and reacted to what others were saying, and stayed for the whole consultation.

According to another interlocutor, that had been a problem for a decade or more, and it was time to look at how the Peace and Security Council of the African Union handled consultations. Its consultations were more interactive, without monologues; the Secretariat could have an input, and then a communiqué would be worked out in the Peace and Security Council itself to give meaning to the whole exercise. At an earlier workshop, there had been discussion of the possibility of convening permanent representative-only meetings, but that idea has not been implemented. Perhaps it was worth reviving as a way of facilitating a more strategic discussion, one delegate suggested.

Two discussants pointed out that the goal of greater interactivity and transparency was undermined by the culture of leaks that pervaded even closed consultations. Representatives were not going to be candid when others were twittering about their remarks almost before they were completed. Governments were going to be sure that their official positions were adhered to under such conditions. If the consultations were going to be more productive and interactive, then the members were going to have to show more respect for the confidentiality of those discussions.

Other interlocutors emphasized the importance of the President steering consultations to the extent possible. That would be better than just giving the floor to each speaker, it was said, and the President could say a few words about the situation or theme being addressed and/or pose some questions at the outset. By summarizing at the conclusion where countries agree or disagree, the President could help to build the foundation for eventual agreement. It was helpful, according to a second delegate, to have presidents who preside actively and summarize the session at its conclusion. A third discussant urged Presidents to be bold and assertive, while being prepared to make mistakes and be criticized. That might be so, commented another participant, but it should be understood that in the Council the likelihood of members being unhappy with the way a discussion and their positions were summarized was quite high.

Prevention and horizon scanning

Though there was wide support for the notion that the Council should put more emphasis on prevention, views of the benefit of the horizon scanning exercises were mixed. It was time to do more than pay lip service to the goal of prevention, asserted a participant. The way horizon scanning briefings had been conducted could be improved and refined, but agreement should be reached in principle to holding such sessions when the Secretariat informed the Council that there was an emerging situation that needed its attention. That would be better than requiring the formal invocation of Article 99, which has not been done for many years and should be demystified. There also should be greater use of the All Other Business category in consultations. In response, a delegate agreed that the idea of horizon scanning as a preventive measure was attractive, but the format needed improvement because

the sessions were too much like informal consultations and insufficiently interactive. Though some delegations were apprehensive about the real intentions of horizon scanning sessions, added another speaker, members should recall that preventive diplomacy was a core function of the Council and the members needed to keep their eyes and ears open to emergencies in any part of the world.

Prevention and contingency planning should be seen as core roles for the United Nations system and especially for the Security Council, declared one discussant. It would be helpful in that regard, added a participant, to be more flexible both about what was on the Council agenda and about how frequently an issue was addressed. South Sudan and Mali were the only situations that had been added to the agenda in recent years, while the Syrian Arab Republic and Lebanon were addressed under the general heading of the situation in the Middle East. Could the addition of those two situations to the agenda be considered? Also, more attention should be given to which issues should be addressed more or less often, as the frequency with which the Council considered some matters did not seem to coincide with their urgency. An interlocutor responded that in at least one case it required meetings every two weeks until a convergence of views could be achieved, while if that situation had been addressed less frequently, say only once every two or three months, then the members would have just read statements from capitals rather than finding common ground.

Penholders and Chairs of subsidiary bodies

As in recent workshops, there was lively discussion of the question of how penholders and the Chairs of subsidiary bodies are selected. The system of appointing Chairs was still not transparent and it was controlled by the permanent members for their own purposes, contended a participant. That sometimes led to members being assigned committees in which they were not interested, though that had not been their experience. A second speaker declared that its delegation had been selected as Chair of two committees they were not interested in and on which they had no particular expertise. That meant that those groups had not been active, which was unfortunate. A delegate agreed that the closed nature of the selection process was frustrating and tended to benefit the permanent members because of their institutional memory. Steps were being taken to make the selection process more open, democratic and interactive, according to a discussant. Every committee needed a Chair, so it was not always possible to have a perfect fit in every case. Some committees entailed far more work than others. The question of capacity therefore had to be taken into account, not just the member's interests and preferences. Agreeing that the process was better in 2013, a participant said that it was more consultative. Still, it should be understood that much of the committee work constituted the sharp end of the mandate of the Council and could be quite raw. A delegation's capacities thus had to be considered, as well as its interests. Consideration might be given to the preparation of another Note on the selection process.

There were also distinct views on how it is decided which member will serve as a penholder on each topic. A delegate contended that there was only one penholder from Africa on issues regarding the continent, though those issues comprised 70 per cent of the Council agenda. Three permanent members were the penholders for most of those matters. Another speaker agreed that there should be more penholders from among the non-permanent members and the process should

be more interactive. But it should be possible to find a common denominator on that question. A respondent countered that a member should take the pen; it was not given. That was a big responsibility, added an interlocutor, and the three permanent members carried a substantial burden by undertaking that role. Their delegation had found it easy to work with the penholder on a situation of interest to it. To give all members a role, the position of alternate penholder could be added. Concurring that there had been some progress on making that determination more flexible, a participant proposed that the traditional penholders look to a non-permanent member, preferably from the region in question, for advice and expertise.

Subsidiary bodies

Of the 22 subsidiary bodies, pointed out a participant, 13 address sanctions regimes. Their work, in many ways, constituted the way the Council operationalized its decisions through monitoring, reporting and compliance measures. Since that often entailed the establishment of national implementation mechanisms, the volume of inquiries from the Member States could be very high. Some committee assignments were more demanding than others, but, in the aggregate, the subsidiary bodies produced some 600 decisions a year. Many of those decisions affected the lives of ordinary people, such as travel bans and financial restrictions, so there could be substantial civil society interest in that work. Despite the importance of the work of the subsidiary bodies, added another speaker, the members had made little use of the Council's existing agenda item on subsidiary bodies.

Though there had been some improvement recently, it was said that the incoming members still needed more guidance on what the different committees and working groups demanded of their Chairs. A delegate described the far-reaching agenda and activities of the Working Group on Peacekeeping Operations, including its examination of new technologies. Noting that the Informal Working Group on Documentation and Other Procedural Questions had been looking at the handover of the chairmanships of subsidiary bodies, another speaker suggested that the Security Council Affairs Division consider producing manuals on the role of the Chairs, on the special requirements of heading sanctions committees and on the relative workload each subsidiary body entailed. It was pointed out by a second participant that the Security Council Affairs Division and the Security Council Report had held a half-day retreat on the work of the sanctions committees for incoming members for the last few years. The existing guidelines on the implementation of sanctions could use updating.

According to a delegate, there were operational synergies among the committees, including on the matter of how and how frequently they reported to the Council, that needed further reflection. The possibility of convening an Arria-formula meeting in 2014 to look at the work of the subsidiary bodies and cross-cutting issues affecting their work was worth consideration. If there was interest, the speaker's delegation could sponsor it.

Several participants addressed the relationship between committee Chairs and the related penholders. Coordination between the committee Chair and the penholder was both important and easy to accomplish, commented a delegate, who said that that had worked well for their situation-specific committee. Both the penholder and the Chair had a responsibility to ensure that the expertise of the

committee was reflected in draft resolutions, noted an interlocutor, and that could be a good way to bolster cooperation between non-permanent and permanent members.

There was a need to review the effectiveness of sanctions regimes, concluded a discussant. As had been suggested, it would be useful to look at the linkages among sanctions regimes. In addition, there could be cross-cutting issues between sanctions and thematic issues that needed further explication. It could be worthwhile to have Special Representatives of the Secretary-General meet with the relevant sanctions committees, as well as with the Council as a whole. When the first open briefing in three years on the sanctions regime on the Democratic People's Republic Of Korea was given earlier in 2013, the interest of Member States was quite high.

Outreach

There was more discussion of the relationship of the Council with the Peacebuilding Commission than with any other body. It was suggested that it would be useful to invite the head of the Peacebuilding Commission country-specific configuration when mandate renewals were being considered. More broadly, another participant proposed that consideration be given to including the head of the Peacebuilding Commission country configuration whenever the Council was addressing a particular situation, since that person might be closest to what was happening on the ground. Noting that the advisory role of the Peacebuilding Commission was not visible in the Council deliberations, a speaker suggested that some triangulation among the penholder, the head of the Peacebuilding Commission country-specific configuration and the country in question could be useful at times.

The paradigm for the relationship of the Council with the media, contended a participant, had not changed since the days of the cold war. The members remained apprehensive about the media and civil society, yet they were among the prime users of the outputs of the Council. It was time to become more proactive towards both the media and civil society, while avoiding being condescending. It was possible to get wide media coverage, as had been the case for the Arria-formula session on security and climate change. Agreeing that the United Nations was not good at public relations, a speaker suggested that part of the problem was the small group of reporters who had been covering the world body for too many years and part was the reluctance of members to engage with the media. A particular concern was that the work of the Organization on peace and security was not well reported or understood, and that was a matter that should be addressed as part of the effort to improve the working methods of the Council. The Secretariat, it was pointed out, regularly sent copies of press statements from the Council to 4,000 media outlets around the world. Press statements could have real value, conceded a delegate, but the members should be careful about what signals others might read into them. For instance, a press statement might imply a greater readiness to become engaged directly in a situation than actually existed.

There was less discussion of the relationship of the Council with regional and subregional arrangements than at past workshops. A discussant underscored the importance of those relationships, which should be further developed. The Council had held a productive high-level meeting on enhancing cooperation with those organizations and had also adopted a presidential statement (S/PRST/2013/16, 28 October 2013) that recognized the contribution of the Organization of Islamic Cooperation to the work of the United Nations.

Session III
Lessons learned: reflections of the class of 2013

Moderator:

Ambassador Gérard Araud
Permanent Representative of France

Commentators:

Ambassador Masood Khan
Permanent Representative of Pakistan

Ambassador Abderrazzak Laassel
Deputy Permanent Representative of Morocco

Ambassador Tofig Musayev
Deputy Permanent Representative of Azerbaijan

Ambassador Kodjo Menan
Permanent Representative of Togo

Ambassador Gert Rosenthal
Permanent Representative of Guatemala

Reflections

All of the representatives of outgoing members spoke of their term on the Council in very positive terms. One described his country as a "satisfied customer". The term offered a fresh learning opportunity and, in some ways, a humbling experience, as there was no room for arrogance, given the challenges before the Council. To the representative of a second outgoing member, service on the Council was a "big deal" for his country, as well as a great learning experience that was personally enriching and rewarding. Having spent two "intense and productive" years on the Council, a third speaker found it to be a "unique" and "fascinating" experience. A fourth saw it as an unusual opportunity to make a significant contribution to peace and security within one's region, as well as globally. A term on the Council was not only a chance to raise the visibility of one's country globally, commented a fifth outgoing delegate; it was also a privilege and a responsibility, for there was no greater purpose for multilateral diplomacy than to maintain international peace and security. Since the work of the Council affected the lives of hundreds of millions of people, including women and children, there was a moral and political responsibility to do one's best while serving on the Council. It had been an educational and enjoyable experience, if occasionally frustrating.

The Security Council was evolving, it was said, and even in two years one could see changes in the way it operated. Unlike the General Assembly or the Human Rights Council, in the Council little time was wasted on procedural matters, as the Council had become increasingly efficient over time. Yet the reform debate was fixated on the number of permanent seats, missing the bigger picture. If the five permanent members wanted that, it might happen, but they did not. Progress on working methods reform continued to be made, commented a discussant, who praised the work of the last several Chairs of the Informal Working Group on Documentation and Other Procedural Questions. But more could and should be accomplished in the coming months and years. One of the useful innovations,

according to a third delegate, had been the introduction of informal interactive dialogues by the Council. More should be convened in the future. Another speaker stressed how useful Arria-formula meetings could be for reaching out to regional organizations, non-governmental organizations (NGOs) and academia for a broader, deeper and more interactive discussion of an issue. The speaker's delegation had utilized Arria-formula meetings in conjunction with its presidency to good effect.

In the view of a participant, some of the evolution of the Council had been due to the changing nature of conflict, which compelled the Council to deal with increasingly complex issues, such as terrorism, asymmetric warfare and transnational organized crime. The Council had had to focus more on post-conflict transitions, an area in which its record had been mixed and would require more attention to the interaction among economic, political, security and humanitarian challenges. It had begun to test new operational paradigms, such as robust peacekeeping and the intervention brigade in the eastern Democratic Republic of the Congo. The first deployment of unmanned unarmed aerial systems — drones — would take place there soon, as a way of trying to improve situational awareness and identify emerging threats to civilians and peacekeepers. According to a second speaker, the Council needed to develop a better strategy for dealing with armed rebellions.

Assessment

The Council had achieved significant success in resolving a number of conflicts over the past two years, asserted a participant, yet the public expected the Council to resolve all conflicts, given its open-ended mandate. Though it had been relatively successful in Timor-Leste, Yemen, Sierra Leone, Liberia, Côte d'Ivoire and Libya, the outside world focused more on its visible failures, particularly in the Syrian Arab Republic. Concurring that the expectations of both the public and Governments were rising, another diplomat cited progress over the course of 2013 in Yemen, the Sudan, South Sudan, Mali and the Democratic Republic of the Congo. The latter two cases showed that military intervention was sometimes necessary to advance peace and security. The Council also had become more engaged in the worsening crisis in the Central African Republic. Despite sharp differences over some issues, the spirit of consensus still usually prevailed in the Council. In the view of a third speaker, the Council should be commended for its timely and effective response in Mali, as well as for its larger strategy towards the Sahel region. The situation in the Central African Republic was grave, but the Council was beginning to focus on it intensively. It was also encouraging that the Council was becoming more engaged with the challenges in the Arab world as a whole. In terms of Palestine, the renewal of negotiations under United States leadership might be the last chance for a durable peace, and it was to be hoped that all Council members would support the outcome. Another discussant said that the lack of progress in the Middle East peace process had been the biggest disappointment over the last two years on the Council.

Too many lives had been lost in the Syrian Arab Republic, commented a participant, and no effort should be spared to provide political support for the Geneva negotiations, given the implications of the continuing fighting for regional stability. The progress on the elimination of chemical weapons there, on the other hand, demonstrated how much was possible when the Security Council was united. Though the Council had failed to take timely and effective action on the conflict in

the Syrian Arab Republic, commented another speaker, there had been real efforts within the Council to try to find common ground. Three resolutions and a number of statements had been agreed to address the crisis in the Syrian Arab Republic, including both its humanitarian dimensions and efforts to eliminate chemical weapons there.

According to one speaker, of the three tracks of work of the Council — conflict prevention, peacekeeping and conflict resolution — peacekeeping had proven the most efficient. Indeed, it had become the backbone of the United Nations. Progress was being made towards the development of common doctrine, as reflected in resolution 2086 (2013). Nevertheless, the Council still faced continuing challenges in the Democratic Republic of the Congo, Somalia, the Sudan and South Sudan, as well as severe challenges in the Central African Republic. The transition in Afghanistan would require the assistance of the Council on security sector reform and disarmament, demobilization and reintegration, as well as greater involvement in the humanitarian cluster, so that refugees would return to that country. The mandate renewal for UNAMA would have to be undertaken with care. In the Democratic Republic of the Congo and Mali, the Council had come to recognize that a robust response was not enough. Those situations also called for a more strategic regional approach that encompassed broader political and development concerns, with the participation of international financial and development institutions alongside the United Nations. That approach complemented the emergence of regional ownership, particularly in Africa, including the provision of peacekeepers from the region in several operations. Regional ownership might be part of the answer in the search for drawdown and exit strategies. Though concurring with that line of reasoning, another delegate pointed out that it defined a dilemma for the Council members. On the one hand, it had become commonplace to assert that the Council should focus on its core peace and security mandate, leaving peacebuilding to others, including most prominently the Peacebuilding Commission. On the other hand, experience kept demonstrating that it was impossible to make a sharp distinction between peacekeeping and peacebuilding in the implementation of Council decisions on the ground. The Council could not delegate its responsibilities to the Peacebuilding Commission, the Economic and Social Council or any other body.

A speaker also addressed a series of thematic or normative questions before the Council. Both international criminal justice and national complementarity were legitimate values, and the incoming members would need to help find a middle ground that could reconcile some of the differences that had arisen between them. The Council's persona was being redefined by the issues, such as the protection of civilians, children and armed conflict, and women and peace and security, that comprise the rights cluster.

Relationships within the Council

Again and again, in many different ways, discussants spoke of the critical importance of relationships, both among members and with key stakeholders. One told the incoming members to expect a genial atmosphere, as the Council was a "comfortable" place where everyone called you by your first name. The five permanent members were generally very helpful in terms of providing support when it was needed, such as when a delegation was assuming the presidency for the first time. One could count on that assistance. Another underscored the degree to which

mutual respect and cordiality were critical to the smooth functioning of the Council. Similarly, another discussant praised the spirit of cooperation that prevailed in the Council, noting that there was a real effort to maintain good personal relationships, even when political ties are strained. The two should never be confused. The permanent members had many advantages — institutional memory, global diplomatic presence, much wider sources of information and greater capacity to help implement Council decisions, among others — but they did not display prejudice against the non-permanent members. They did not dictate what happened in the Council. They could be quite open about sharing information. They generally recognized that the non-permanent members bring essential attributes to the Council as well, such as fresh perspectives, unique experience and valuable local and regional expertise and contacts. Elected members might bring focused attention to particular thematic issues as well, including during their presidencies.

A delegate suggested that it might be best to consider the relationship between permanent and non-permanent members in a practical, dispassionate way. The privileges of permanency and veto power were conferred by the Charter. The former had permitted the permanent members to acquire a deep knowledge of issues and Council procedures. In that context, the personality of each ambassador of a non-permanent member could make a big difference. They could work for further reform of working methods, because many members were unhappy with the status quo; there were different approaches among the permanent members, and it is an ongoing process. Each non-permanent member had opportunities to exert influence, as well as an obligation to try to make a difference. In consultations, constructive proposals by non-permanent members were usually welcome and given serious consideration. When the permanent members were divided, non-permanent members could play an essential role as bridge-builders. The subsidiary bodies were becoming increasingly important and they represented opportunities for non-permanent members to contribute to issues of real significance. Non-permanent members should seek opportunities to take the pen, as the speaker's delegation did on a matter of importance to its country. There was a strong sense of collegiality among all of the representatives on the Council — whether permanent or non-permanent — and real friendships developed over one's term. With greater openness, those human relationships tended to grow.

Though the tenor of the discussion of relations between permanent and non-permanent members was generally upbeat, most speakers commented on how the two-tiered structure of the Council complicated those relationships. Terming this structure "diabolical", an interlocutor asserted that the huge asymmetries between the permanent and non-permanent members largely shaped the nature and course of decision-making within the Council. The existence of the veto power, even when not invoked, influenced how decisions were made in profound ways. The permanent presence of the five and the historical memory it provided mattered greatly, and they also had the advantage of worldwide networks of embassies, interests and partners. Those Member States that would be unhappy working in such a non-democratic arrangement should not join the Council, but that might not be the best way to view the Council and its work. There was a lot that non-permanent members could and did accomplish during their terms on the Council. Yes, it was a seriously flawed organ, but it was the only one the international community had. The only choice was to make it function as effectively as possible.

Sometimes the non-permanent members were treated as second-class citizens in the Council, commented another participant, and the Council had no mechanism for preserving their legacy once they left its ranks. It was not always appreciated

that the non-permanent members could enrich the work of the Council with their views, while the turnover of non-permanent members every year ensured a fresh set of perspectives and interests. A speaker noted that the permanent members sometimes negotiated a text without input from the elected members, who were then given a "take it or leave it" choice. Worse, there had been occasions when some of the permanent members had taken the results to the public or to other delegations before bringing them to the elected members. When one was left out of the loop like that, it was difficult to explain to one's capital. Likewise, noted another interlocutor, the permanent members were quite capable of putting pressure on one's capital to try to get their way on matters before the Council. Three participants commented on the practice of repeating previously agreed language in new draft resolutions. One saw this as a tactic by permanent members to keep language that they had agreed to in the past without taking into account changed circumstances or the views of non-permanent members that had not participated in the earlier negotiations. Another agreed that penholders sometimes used this practice to prevent change in the approach of the Council to certain issues. While acknowledging that previous language should not be considered as sacred text and should be revisited from time to time, a third discussant stressed that everyone was still bound by the language of past resolutions of the Council.

Several participants emphasized that the success of the Council depended on the achievement of consensus among the permanent members. One asserted therefore, that a key role of non-permanent members was to contribute to the consensus-building process within the Council; that was part of the collective responsibility of all members. In theory, the 10 elected members could exercise decisive influence if they worked together and took common positions. They rarely did, however, because they, like the permanent members, had their individual interests and perspectives.

Lessons learned

The outgoing members offered a rich array of lessons learned to the incoming ones. Their advice included the following points, among others:

- Take full advantage of your two years on the Council; they go by very rapidly.
- Discover a niche, identify it early and stay with it. Become the Council's source for expertise and analysis on a few questions that matter to your country, whether they are particular country situations or broader themes. Among the niches on which the outgoing members have left their mark are peacekeeping, the rule of law, the protection of civilians and peace and security in Africa, the Sahel region and the Middle East.
- There is room to pursue your own goals, but be sure you know what those are at the outset.
- Thematic debates may provide political space, as do Arria-formula meetings and informal interactive dialogues.
- Look for opportunities to make a difference; 90 per cent of the time the permanent members are in agreement and you cannot have much influence, so look for the other 10 per cent, when your voice and views will be needed and valued.
- Work on personal relationships at many levels: within the Council; with non-members of the Council; with regional groups; with other United Nations

organs; within one's mission; with one's capital and ministry; with the United Nations Secretariat; and with the media, NGOs and civil society. They all matter. Maintaining productive interactions with so many layers of stakeholders is the essence of multilateral diplomacy.

- Keep your doors open to NGOs, especially if you have a small mission.
- Coordinate closely and frequently with other Council members from your region. Brief the incoming members from your region, in part to try to ensure some degree of continuity.
- Get to know the Secretariat at many levels. Depend on it for experienced advice, especially as your presidency is approaching. It is the bedrock of the Organization. Look especially to the Security Council Affairs Division for unparalleled expertise and institutional memory.
- The success of a Permanent Representative will be largely determined by the quality of staff work in that Mission. Get well trained and experienced staff, and prepare well in advance, as the work of the Council is unique.
- Select your experts carefully and monitor their work regularly, because there is a tendency for policy to be made from the bottom up. Ambassadors generally do not negotiate texts, yet they are responsible for the faithful implementation of national policy. Rarely do the Permanent Representatives meet as a group.
- Communicate regularly and coordinate closely with your ministry, in part to give less room for other members to engage in splitting tactics.
- Prepare well in advance for your presidencies and work closely with capitals on them, especially if there will be high-level events.
- Accept offers of information from the permanent members — they can be useful — but seek alternative sources of information as well. Look to regional organizations, think tanks, NGOs and the Secretariat. The Security Council Report is an especially helpful source.
- Keep up your ties with the larger United Nations membership through regional groups and bilaterally. Soon you will be rejoining them.
- Brief your regional group regularly and frequently. Try to reflect regional views. But remember that under the Charter members of the Council are elected individually, not as representatives of regions.
- Avoid cynicism — one of the permanent members claimed to have that monopoly — and embrace collegiality.

One participant spoke of seeming paradoxes: that for all of the flaws and inequities of the Council, all of the outgoing members considered their terms on the Council to be quite productive and, on balance, a positive experience. While the larger United Nations membership tended to be quite critical of the Council, it was very eager to become elected members. As long as those paradoxes held, the impetus for reforming the composition of the Council would fall short. Based on the experience of the past two years, that speaker would be more cautious in the future about favouring deep reforms to the Council for fear of doing harm to its important work.